

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

ALLINGTON, Bartley

Debtor(s)

Chapter 13

Case No. 24-10223-JEB

TRUSTEE'S OBJECTION TO CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN

Now comes Carolyn Bankowski, Standing Chapter 13 Trustee ("Trustee"), and respectfully objects to confirmation of the Debtors' Chapter 13 Plan, (the "Plan"), and for reasons says as follows:

1. On April 9, 2024, the Trustee convened the §341 meeting of creditors at which the Debtor were present with counsel.
2. On May 15, 2024, the Debtor filed the Plan. The Trustee is unable to recommend the Plan for confirmation at this time.
3. According to Official Form 22C-2, the Debtor has \$1,996.16 available each month towards unsecured claims, which when multiplied by 60 months would provide for a total of \$119,769.60 to be paid towards general unsecured claims. However, the Debtor's Plan only proposes to pay the total sum of \$62,871.00 towards general unsecured claims. If the Debtor was to devote all projected disposable income for a period of 60 months, the dividend to the holders of general unsecured claims would increase significantly.
4. The Trustee asserts that the Plan does not meet the best efforts test pursuant to 11 U.S.C. §1325 (b)(1)(B).

WHEREFORE, the Trustee requests that the Court sustain the objection to confirmation and grant such other relief as is proper.

Dated: 5/30/24

Respectfully submitted,

By: /s/ Carolyn Bankowski
Carolyn Bankowski, BBO#631056
Patricia A. Remer, BBO#639594
Standing Chapter 13 Trustee
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Certificate of Service

The undersigned hereby certifies that a copy of the Trustee's Objection to Confirmation of Debtor's Chapter 13 Plan was served via first class mail, postage prepaid or by electronic notice on the Debtor and Debtor's counsel at the addresses set forth below.

Bartley Allington
560 Pitchers Way
Hyannis, MA 02601

Steven Striffler, Esquire
21 McGrath Highway, Ste. 301
Quincy, MA 02169

Date: 5/30/24

/s/ Carolyn Bankowski